

Remarks

Claims 56-58, 61-67, 69-73, and 78-80 are pending in this application. Claims 1-55, 59-60, 68, and 74-77 have been canceled. Claims 56-58, 61-67, 69-73, and 79 are currently amended. New claim 80 has been added. No new matter has been added by virtue of this Amendment.

Objections

Claims 61 and 62 were objected to because the claims were identical.

Claim 61 has been amended to depend from independent claim 78, and claim 62 has been amended to depend from independent claim 79. Therefore, withdrawal of the objection to claims 61 and 62 is respectfully requested.

Claim Rejections – 35 U.S.C. § 112

Claim 79 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claim 79 has been amended to remove the limitation of a weighting calculation based on a mediation process. No new matter is added by this amendment. Therefore, reconsideration of the rejection of claim 79 is respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 55-73 were rejected under 35 U.S.C. § 103(a).

Claims 55, 59-60, and 68 have been canceled.

Claims 56-58, 61, 63-65, 67, and 69-73 have been amended to depend from claim 78, which was indicated as allowed in the prior Office Action. Because the prior art of record fails to render claim 78 obvious, the prior art of record also fails to render amended claims 56-58, 61, 63-65, 67, and 69-73 obvious.

New claim 80 also depends from claim 78. Therefore, the prior art of record fails to render claim 80 obvious.

Claims 62 and 66 have been amended to depend from claim 79. The rejection of claim 79 in the prior Office Action was based on 35 U.S.C. § 112, first paragraph. Claim 79 has been amended in response to the Examiner's rejection. In the prior Office Action, claim 79 was not rejected under 35 U.S.C. § 103(a). Because the prior art of record fails to render claim 79 obvious, the prior art of record also fails to render claims 62 and 66 obvious.

For the foregoing reasons, reconsideration of the rejections of claims 56-58, 61-67, and 69-73 is respectfully requested. Further, consideration of new claim 80 is respectfully requested.

Request for Reconsideration and Allowance

Based upon the above Remarks, claims 56-58, 61-67, 69-73, and 78-80, as amended, are believed to be in proper form for allowance, and patentable over the prior art made of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Any fees necessitated by this Amendment may be charged to the deposit account of the undersigned, Dep. Acct. #50-1212 (ref. 10408538).

Should the Examiner wish to discuss these claims further, or should an Examiner's Amendment be needed in order for the claims to proceed to allowance, the Examiner is invited to direct any questions regarding this application to John Klos at (612) 321-2806.

Respectfully submitted,
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